

REMARKS

Status of the claims

Claims 10 and 20 are pending in the application. All remaining claims have been cancelled. Claims 10 and 20 have been amended as suggested by the Examiner. As such, no new issues have been raised for consideration and entry of the amendments is respectfully requested.

Objections to the claims

Claim 12 has been objected to for containing a typographical error. Claim 12 has been cancelled, thus rendering the objection moot.

Rejections under 35 U.S.C. §112, 2nd paragraph

Claims 12-13 and 17-19 have been rejected under 35 U.S.C. §112, 2nd paragraph as being indefinite. Claims 12-13 and 17-19 have been cancelled, thus rendering the rejection moot.

Rejections under 35 U.S.C. §112, 1st paragraph

Claims 12, 13, 17 and 19 have been rejected under 35 U.S.C. §112, 1st paragraph, as lacking sufficient written description. In addition, the rejection of claims 10-13 and 16-19 under 35 U.S.C. §112, 1st paragraph for an asserted lack of enablement has been maintained. Claim 10 has been amended as suggested by the Examiner, i.e. to be drawn to the use of brain tissue samples and the specific peptide fragments. In addition, claims 11-13 and 16-19 have been cancelled. As such, the rejections are either overcome or rendered moot. Withdrawal thereof is therefore respectfully requested.

Rejection under 35 U.S.C. §102

Claim 6 remains rejected under 35 U.S.C. §102(b) as being anticipated by Sonderegger et al. (2002). Claim 6 has been cancelled, thus rendering the rejection moot.

Allowable claims

The Examiner has indicated the allowability of claim 20, if amended as suggested. The Examiner further indicated the allowability of claim 10 if limited to diagnostic methods using brain tissue and specific fragments of SEQ ID NO:1. Applicants appreciate the consideration of the claims and recommendations offered by the Examiner. Claims 10 and 20 have been amended as recommended by the Examiner.

In view of the above amendments and Remarks, Applicants believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact MaryAnne Armstrong, PhD, Reg. No. 40,069, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: January 4, 2010

Respectfully submitted,

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